

## § 165.777

16 or by telephone at (787) 289-2041 to request permission.

[USCG-2008-0440, 74 FR 9769, Mar. 6, 2009]

### **§ 165.777 Security Zone; West Basin, Port Canaveral Harbor, Cape Canaveral, Florida.**

(a) *Regulated area.* The following area is a security zone: All waters of the West Basin of Port Canaveral Harbor northwest of an imaginary line between two points: 28°24'57.88" N, 080°37'25.69" W to 28°24'37.48" N, 080°37'34.03" W.

(b) *Requirement.* (1) This security zone will be activated 4 hours prior to the scheduled arrival of a cruise ship at the West Basin of Port Canaveral Harbor during MARSEC Levels 2 and 3 or when the COTP determines there is a specified credible threat during MARSEC Level 1. This security zone will not be deactivated until the departure of all cruise ships from the West Basin. The zone is subject to enforcement when it is activated.

(2) Under general security zone regulations of 33 CFR 165.33, no vessel or person may enter or navigate within the regulated area unless specifically authorized by the COTP or the COTP's designated representative. Any person or vessel authorized to enter the security zone must operate in strict conformance with any direction given by the COTP or a designated representative and leave the security zone immediately if so ordered.

(3) The public will be notified when the security zone is activated by the display of a red ball on a 50-foot pole located at the east end of Cruise Ship terminal 10. This red ball will be lowered when the security zone is deactivated. To ensure boaters are given sufficient knowledge of the security zone, the Coast Guard will continuously broadcast the activations of the zone and law enforcement vessels will be on scene to inform boaters that the zone has been activated. Vessels encroaching on the security zone will be issued a Public Notice which clearly states the location of the security zone and the times it will be enforced. This will be the boater's first warning prior to enforcement action being taken.

(c) *Definitions.* The following definition applies to this section:

## 33 CFR Ch. I (7-1-11 Edition)

*Designated representative* means Coast Guard Patrol Commanders including Coast Guard coxswains, petty officers and other officers operating Coast Guard vessels, and federal, state, and local law enforcement officers designated by or assisting the COTP in the enforcement of the security zone.

(d) *Captain of the Port contact information.* If you have questions about this regulation, please contact the Sector Command Center at (904) 564-7513.

(e) *Enforcement periods.* This section will only be subject to enforcement when the security zone described in paragraph (a) is activated as specified in paragraph (b)(1) of this section.

[USCG-2008-0752, 74 FR 15856, Apr. 8, 2009]

### **§ 165.778 Security Zone; Port of Mayaguez, Puerto Rico.**

(a) *Security zone.* A moving and fixed security zone is established around all cruise ships entering, departing, mooring, or anchoring in the Port of Mayaguez, Puerto Rico. The regulated area includes all waters from surface to bottom within a 50-yard radius of the vessel. The zone is activated when a cruise ship on approach to the Port of Mayaguez enters within 1 nautical mile of the Bahia de Mayaguez Range Front Light located in position 18°13'12" N 067°10'46" W. The zone is deactivated when a cruise ship departs the Port of Mayaguez and is no longer within 1 nautical mile of the Bahia de Mayaguez Range Front Light.

(b) *Definitions.* As used in this section:

*Cruise ship* means any vessel over 100 gross registered tons, carrying more than 12 passengers for hire.

*Designated representative* means Coast Guard Patrol Commanders including Coast Guard coxswains, petty officers and other officers operating Coast Guard vessels and Federal, State, and local officers designated by or assisting the Captain of the Port San Juan in the enforcement of the security zone.

*Vessel* means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, except U.S. Coast Guard or U.S. Naval vessels and servicing pilot and tug boats.

**Coast Guard, DHS**

**§ 165.T08-0434**

(c) *Regulations.* (1) No person or vessel may enter into the security zone under this section unless authorized by the Captain of the Port San Juan.

(2) Vessels seeking to enter a security zone established in this section, may contact the COTP on VHF channel 16 or by telephone at (787) 289-2041 to request permission.

(3) All persons and vessels granted permission to enter the security zone must comply with the orders of the Captain of the Port San Juan and designated on-scene U.S. Coast Guard patrol personnel. On-scene U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

(d) *Effective period.* This section is effective on April 29, 2009.

[USCG-2008-0070, 74 FR 14049, Mar. 30, 2009]

**EIGHTH COAST GUARD DISTRICT**

**§ 165.T08-0432 Safety Zone; Waterway Closure, Morgan City-Port Allen Route from Mile Marker 0 to Port Allen Lock.**

(a) *Location.* Waters of the Gulf Intracoastal Water Way on the Morgan City-Port Allen route from MM 0 to the Port Allen lock.

(b) *Effective date.* This rule is effective May 16, 2011 through July 31, 2011.

(c) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into this zone is prohibited unless authorized by the Captains of the Port Morgan City or New Orleans.

(2) Vessels requiring entry into or passage through the Safety Zone must request permission from the Captains of the Port Morgan City or New Orleans, or a designated representative. They may be contacted on VHF Channel 13 or 16, or by telephone at 985-380-5370.

(3) All persons and vessels shall comply with the instructions of the Captains of the Port Morgan City or New Orleans and designated on-scene patrol personnel. On-scene patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

EFFECTIVE DATE NOTE: By USCG-2011-0432, 76 FR 36320, June 22, 2011, temporary §165.T08-0432 was added, effective from June 22, 2011 until 11:59 p.m. July 31, 2011.

**§ 165.T08-0433 Safety Zone; Waterway Closure, Atchafalaya River from Mile Marker 117 (Morgan City Railroad Bridge) to Mile Marker 0 (Simmesport, LA).**

(a) *Location.* This temporary safety zone is located on the specified waters of the Atchafalaya River between MM 117 (Morgan City Railroad Bridge) and MM 0 (Simmesport, LA).

(b) *Effective date.* This rule is effective May 16, 2011 through July 31, 2011 and enforceable with actual notice upon signature, May 16, 2011.

(c) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port Morgan City.

(2) Vessels requiring entry into or passage through the Safety Zone must request permission from the Captain of the Port Morgan City, or a designated representative. They may be contacted on VHF Channel 13 or 16, or by telephone at 985-380-5370.

(3) All persons and vessels shall comply with the instructions of the Captain of the Port Morgan City and designated on-scene patrol personnel. On-scene patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

EFFECTIVE DATE NOTE: By USCG-2011-0433, 76 FR 35104, June 16, 2011, temporary §165.T08-0433 was added, effective from June 16, 2011 until 11:59 p.m. July 31, 2011.

**§ 165.T08-0434 Safety Zone; Mile Marker 98.5 West of Harvey Lock Gulf Intracoastal Waterway to Mile Marker 108.5 West of Harvey Lock Gulf Intracoastal Waterway.**

(a) *Location.* Waters of the Gulf Intracoastal Waterway (GIWW) between West Harvey Lock Gulf West (WHL) MM 98.5 to MM 108.5.

(b) *Effective date.* This rule is effective May 26, 2011 through July 31, 2011 and enforceable with actual notice upon signature, May 26, 2011.

(c) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port Morgan City.

(2) Vessels requiring entry into or passage through the Safety Zone must request permission from the Captain of